



**DEPARTMENT OF
BUDGET & MANAGEMENT**

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**AMENDMENT #5 – 2/22/05
REQUEST FOR PROPOSALS (RFP)
ELECTRONIC MONITORING SYSTEMS
PROJECT NO. 050R5800116**

Ladies/Gentlemen:

This Amendment is being issued to amend and clarify certain information contained in the above referenced RFP. All information contained herein is binding on all offerors who respond to this RFP. Specific parts of the RFP have been amended. The following changes/additions are listed below; new language has been double underlined and marked in bold (i.e., **word**) and language deleted has been marked with a strikeout (i.e., ~~word~~).

- 1. REVISE: “KEY INFORMATION SUMMARY SHEET”, page iii**
Closing Date and Time: ~~December 8, 2004 January 10, January 31, February 28,~~ **March 4, 2005** - 2:00 PM Local Time.

- 2. REVISE: SECTION 1.1 SUMMARY STATEMENT, page 1**

~~The State desires to award up to two (2) contracts that together will cover all of the products and services specified within the above referenced three (3) of the functional areas (See RFP Section 3.2). The State reserves the right to award up to two (2) contracts per functional area. This could could result in up to six (6) contract awards.~~

DBM intends to award a Master Contract to an unlimited number of offerors that are deemed qualified by the State to provide equipment and services. The State does not guarantee that any TOs will be issued or that any contractor will be awarded any TOs. There is no separate appropriation to fund TOs. Each required service will be summarized in a TO Request. TO Requests will be issued, as needed, throughout the term of the Master Contracts. All vendors awarded a Master Contract for each category will be invited to compete for the single award that will be made to perform each specific TO under that category. Based upon an evaluation of

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these responses, a single vendor will be selected to conduct each TO. A specific TO Agreement will then be entered into between the State and the selected vendor, which will bind the vendor to the contents of its TO response, including its price. Neither a TO, a TO Request, a Contractor's response to a TO Request, nor a TO Agreement, may in any way conflict with or supercede the Electronic Monitoring Systems Master Contract.

Offerors may submit offers for any or all of the listed categories for any and all of the counties in the State.

It is the State's intention to obtain services, as specified in this RFP, from a contract between the successful Offeror(s) and the State. However, this contract will not be a requirements contract and is not to be construed to require the State to purchase exclusively from the contract. The State reserves the right to procure services from other sources when it is in the best interest of the State to do so and without notice to the Offeror. In addition, the awarding of a Master Contract to any offeror does not guarantee that a contractor will be successful in winning any Task Order competition to perform any work described in this RFP.

3. REVISE: SECTION 1.2 ABBREVIATIONS AND DEFINITIONS, page 2

- n. Master Contract - The contract entered into between DBM and Offerors responding to this RFP, which provides the overall framework for awarding and conducting TOs. This contract includes all general State terms and conditions, unit prices, and payment adjustment mechanisms and all other details that control all aspects of TOs. This contract will incorporate the entire RFP, including any addenda, and all or indicated portions of the selected Offerors' proposals. A sample of this contract is included as Attachment A to this RFP. The final completed version of Attachment A will be the contract.
- o. Task Order Agreement - A signed contract between DBM and the Contractor selected via a Task Order Request. A Task Order Agreement will deal only with the specific aspects of performing a Task Order. All general terms and conditions are contained in the Master Contract and shall apply to all Task Order Agreements. A Task Order Agreement may not in any way amend, conflict with or supercede the Master Contract.
- p. Task Order Manager - The specific employee identified in a Task Order Request and/or TO Agreement, who will supervise the contractor rendering services for that respective TO.
- q. Task Order Request - A solicitation document which describes all specific circumstances regarding the performance of services involving agencies of the State of Maryland. A Task Order Request will not amend, duplicate or conflict with any provision of the Master Contract. A Task Order Request will only be distributed to successful Contractors.

- r. Task Order Response - The technical and financial response by a Contractor to a Task Order Request.**
s. TO - Task Order.

4. REVISE: SECTION 1.3 CONTRACT TYPE, page 2

~~The contract that results from this RFP shall be an Indefinite Quantity Contract with Fixed Unit Prices, with price adjustments, in accordance with COMAR 21.06.03.~~

The Master Contract shall be an Indefinite Quantity contract. Task orders issued under this Master Contract will be paid utilizing the fixed unit prices proposed in the Master Contractor's financial proposal submitted in response to this RFP as defined in COMAR 21.06.03.

5. REVISE: SECTION 1.5 CONTRACT DURATION, page 3

The Contract resulting from this RFP shall be for a period of five (5) years. The Contract base term shall begin upon execution of the contract by DBM and will expire five(5) years thereafter. ~~The term of this Contract is for a period of two (2) years commencing on the date that the Department executes this contract and terminating on February 28, 2007. The State, at its sole option, shall have the unilateral right to extend the contract for up to three (3) additional, successive one-year terms. No equipment orders will be processed after the end date of the contract.~~

6. REVISE: SECTION 1.10, Proposals Due (Closing) Date, page 5

An unbound original and five (5) bound copies of each proposal (technical and financial) must be received by the Procurement Officer, at the address listed in Section 1.5, no later than 2:00 PM (local time) on ~~December 8, 2004 January 10 January 31 February 28~~ **March 4, 2005** in order to be considered.

7. REVISE: SECTION 3.3.1.2 item c.8 TRANSMITTER TAGS, page 15

- 8) Have a secondary proximity switch **alert or equivalent**

8. REVISE: SECTION 3.3.1.2 item d.8 LANDLINE BASED HOME RECEIVER MUST, page 16

- 8) If electrical, have at least a 14-day **72-hour** battery backup, ~~which must be replaceable by State personnel.~~

9. REVISE: SECTION 3.3.2 item a PASSIVE SYSTEM REQUIREMENTS - GENERAL, page 17

- a) The system must have such hardware and software security features as necessary to be tamper resistant and allow access only by authorized State personnel with remote **toll free Internet** ~~access via the Internet. The~~

~~Contractor(s) must provide local Internet access throughout the States of Maryland, Pennsylvania, Virginia, West Virginia and Delaware and the District of Columbia.~~

10. REVISE: SECTION 3.3.2.2 item A.8 TRANSMITTER TAGS, page 20

8) ~~— The transmitter tag must be capable of a data transmission via non-dedicated, standard, voice grade, touch tone telephone line or cellular device connected through a standard RJ-11 jack.~~

11. REVISE: SECTION 4.4.2.3 OFFEROR TECHNICAL RESPONSE TO RFP REQUIREMENTS, page 32

~~After submission of offers,~~ Offerors are required to submit **with their proposal** to the State, five (5) activated units of each system proposed, at no cost to the State, for evaluation purposes. The units will be returned to the Offeror after a three (3) month evaluation period.

12. REVISE, ATTACHMENT G – PRICE PROPOSAL FORMS:

Attachment G – Price Proposals Forms have been revised and are attached to this addendum and incorporated via this addendum into the RFP.

Should you require clarification of the information provided in this addendum, please contact me at (410) 260-7191 as soon as possible.

Date Issued: February 22, 2005

By _____
Robert C. Krysiak
Procurement Officer

Attachments:

Attachment G – Price Proposals Forms